

REMARKS

This Amendment is in response to the Office Action mailed 03/14/03. In the Office Action, claims 1 - 11, 13 and 14 are rejected under 35 USC 103(a) as being unpatentable over Porter (US Patent No. 6,426,699) in view of Tsukuda (US Patent No. 6,085,170). This rejection is respectfully traversed.

The Examiner indicated under lines 10 - 13, page 4 of the Office Action, that "The System employs a system controller which communicably connects a customer's PC, a vendor's PC, and a delivery agent's PC together (col. 4, lines 56 - 65; col. Lines 13 - 21)". The applicants are unable to follow these teachings.

Porter discloses a collapsible storage device for the delivery and pick up of goods. As illustrated in Fig. 11, the storage device includes a communication and control apparatus 62 for controlling access to the device and for providing notification that goods have been delivered to or picked up from the device (lines 1 - 4, column 4). This communication and control apparatus 62 includes a controller 64 coupled with the keypad 60, door lock operator 58, etc. (lines 13 - 16, column 4), and a transmitting device 66 operable for sending the vendor messages to remote locations whenever a delivery has been made (lines 56 - 59, column 4).

It is understood from the teachings highlighted above, that the controller 64 controls the operation of the locker. In a delivery process, the controller 64 compares the keycode entered to the keypad 60 to the stored vendor codes and instructs the lock operator 58 to unlock the lock if the keycode matches one of the vendor codes (lines 22 - 26, column 5).

Apparently, the controller 64 is a device corresponding to the "locker controller" of the present invention, rather than the "system controller" of the present invention.

Further, under lines 13 - 21, column 5 as indicated by the Examiner, the communication and control apparatus 62 is placed in the homeowner's home and another communication and control apparatus is positioned in a vendors' business. These communication and control apparatus communicate directly to each other. No control apparatus stands alone or located independently from the homeowner's home and the vendor's business to perform an independent facilitating function, as recited in the amended claim 1 of the present invention.

In the present invention as recited in the amended claim 1, a system controller which is independent from the plurality of locker modules is provided such that at one end, the system

controller communicates with the remote receiving and transmitting device of the locker unit. At another end, the system controller communicably connects to a customer's PC, a vendor's PC and a delivery agent's PC. As interpreted under lines 4 - 7, page 3 of the specification, a system controller is an independent party rather than a part of the locker module.

Accordingly, the "system controller independent from the plurality of locker modules" feature recited in the amended claims 1 and 6 is absent in Porter.

Tsukuda discloses a delivery managing system for managing delivery of goods from a distribution center through an agent to a receiver. To accomplish the object of the invention and overcome the problems of providing delivery box in front of every house, forgetting to receive the delivered commodities, as well as the burden of the distributor to notify delivery, Tsukuda's system provides means for determining scheduled date and time for delivery, means for determining that the delivery of the commodities or goods is to be conducted through an agent, and means for detecting the commodities or goods that has been kept in the agent in long time (lines 36 - 57, column 2).

The system comprises a client and two kinds of servers, including a distribution server and an agent server, and the client and the each server of those two servers is connected with an information transmission network (lines 52 - 55, column 3).

While arguably that Tsukuda's whole system is adapted to facilitate leasing of the locker units by registered parties including customer, vendor and a delivery agent for delivery or pickup of goods, in the present invention as recited in the amended claims 1 and 6, being an independent element of the whole delivery system, the system controller, facilitates the leasing of the locker units.

Since the "system controller" feature is missing from Porter, no part of Porter can be combined with Tsukuda to render the "system controller" feature of the present invention as recited in claims 1 and 6 obvious, let alone any motivation of combination. Combination of Porter and Tsukuda fails to teach or suggest all the claim limitations with respect to the "system controller".

Further, substantial features of method claim 6 all pertain to the system controller, and none of these features, namely, "receiving", "reserving" and "notifying" by the system controller, is suggested or implied by Porter and/or Tsukuda.

In view of the above, the amended claims 1 and 6 should be patentable and further, claims 2 - 5

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and 7 - 14, while depending on claims 1 and 6, respectively, should be allowable, too.

The applicant respectfully requests allowability of all claims by withdrawal of the rejections.

The Examiner is requested to change the Attorney Docket No. of this case to:

AII002.

If the Examiner has any further questions, or believes that a telephone interview would be helpful to the advancement of the prosecution of the subject application, a telephone call to the undersigned would be appreciated.

Respectfully submitted,



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7/12/83
DATE

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on

7/12/03



Lawrence N. Ginsberg, Reg. No. 30,943

7/12/03
Date

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Please amend Claim 1 as follows:

Claim 1 (amended) A system for facilitating a delivery and pickup of goods comprising:
a plurality of locker modules, each of said locker modules having a plurality of locker units, a locker controller, a user interfacing device, a user-identifying device, and a remote receiving and transmitting device;
a system controller independent from the plurality of locker modules, the system controller having an application server, a database server, and a remote receiving and transmitting device for communicating with said remote receiving and transmitting device of said locker modules;
a customer's PC terminal communicably connected to said system controller;
a vendor's PC terminal communicably connected to said system controller; and
a delivery agent's PC terminal communicably connected to said system controller;[.]
wherein said system controller is adapted to facilitate leasing of said locker units by registered parties for delivery or pickup of a good, said registered parties including a customer, a vendor and a delivery agent.

Please amend Claim 6 as follows:

Claim 6 (amended) A method of making a delivery of a good to a customer using a system for facilitating a delivery and pickup of goods comprising[.]:

a plurality of locker modules, each of said locker modules having a plurality of locker units, a locker controller, a user interfacing device, a user-identifying device, and a remote receiving and transmitting device;
a system controller independent from the plurality of locker modules, the system controller having an application server, a database server, and a remote receiving and transmitting device for communicating with said remote receiving and transmitting device of said locker modules; wherein said system controller is adapted to facilitate leasing of said locker units by registered parties for delivery or pickup of a good, said registered parties including a customer, a vendor and a delivery agent;
a customer's PC terminal communicably connected to said system controller;
a vendor's PC terminal communicably connected to said system controller; and
a delivery agent's PC terminal communicably connected to said system controller,
said method comprising:

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receiving, by said system controller, a request for use of a locker unit for said delivery or
said pickup of said good;
reserving, by said system controller, said locker unit in response to said receiving step;
and
notifying, by said system controller, said customer after said delivery of said good or of
said locker unit for drop off of said good for said pickup.